
S-4233
GALLOWAY MINOR SUBDIVISION
Minor-Sketch Plan

STAFF REPORT
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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioners, who are also the property owners, represented by Dale Kruse of Kruse Consulting and Scott Foster of Foster Builders, Inc. are seeking primary approval of a 2 lot subdivision on 2.34 acres, located at the southwest corner of SR 28 and US 231, in the unincorporated town of Romney, Randolph 19 (NE) 21-4. The purpose of the subdivision is to create a new lot for a proposed Dollar General store.

AREA ZONING PATTERNS:

The site is zoned GB, General Business. AW, Agricultural Wooded zoning is adjacent to the south and west. HB, Highway Business exists across SR 28 to the north, and R1, Single-family Residential is in place across US 231 to the east.

AREA LAND USE PATTERNS:

Proposed Lot 2 has an existing car sales lot; Lot 1 is currently unimproved. There is a service station to the north; other properties in the area are residential.

TRAFFIC AND TRANSPORTATION:

US 231 is classified as a primary arterial by the adopted *County Thoroughfare Plan*; SR 28 is classified as a secondary. Normally the half-width right-of-way dedication required in a rural area would be 60' for a primary and 40' for a secondary. Instead of the rural requirement, the sketch plan shows the required right-of-way half-widths needed to meet the urban standard: 40' for a primary and 35' for a secondary.

The Unified Subdivision Ordinance specifically requires the smaller, urban right-of-way standards to be used in the incorporated towns of Battle Ground, Clarks Hill and Dayton, but does not mention any *unincorporated* towns, such as Romney. The USO does state however that, "a rural cross section may be utilized...except where the Tippecanoe County Board of Commissioners, upon advice of the County Highway Engineer, deems an urban cross section is necessary due to proximity to the urbanized area or due to the nature of the site itself."

Since both streets are highways under the jurisdiction of INDOT (and not county roads under the jurisdiction of the County Highway Engineer) staff sought the advice of INDOT. Staff and petitioner met with state highway department representatives and discovered that INDOT agreed that the narrower, urban standards could be used at this site. Once staff receives INDOT's written recommendation it will be forwarded on to the

County Commissioners at their meeting on Monday, April 18th. The result of that meeting will be presented at the APC meeting Wednesday evening.

The locations of driveways were also discussed with INDOT personnel. Of the three existing driveways on Lot 2, INDOT is proposing the removal of two of them by the addition of vegetation in these driveways along the frontage. INDOT will allow one commercial driveway from US 231 located on proposed Lot 1 to be shared by both lots. A second commercial driveway from SR 28 serving proposed Lot 2 and located along its western lot line would also be authorized. A "no vehicular access" statement will need to be platted just on proposed Lot 2 along the US 231 and SR 28 frontages except for the location of the westernmost existing driveway. Permits for these two driveways (one on US 231 and the second on SR 28) will need to be issued by INDOT prior to the recording of the final plat.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The County Surveyor is requiring Drainage Board approval of this subdivision request.

A letter from the County Health Department states that, "...both lots can be considered for shallow trench subsurface absorption systems with perimeter drains. The Indiana State Department of Health has reviewed the soil report and has released the project proposed for Lot 1 for the local Health Department to permit. A condition of the onsite sewage disposal system will be a required outlet for a perimeter drain to lower the seasonal high water table. An easement to an adequate outlet will be required prior to the permit being issued."

CONFORMANCE WITH UZO REQUIREMENTS:

Setbacks and buffering shown on the sketch plan are correct. The lot width and area of both lots meet the ordinance standards for the GB zone.

STAFF RECOMMENDATION:

Conditional primary approval, contingent on the following:

A. Conditions

FINAL PLAT – The following items shall be part of the Secondary Application and Final Plat approval:

1. Except for the approved entrance near the west lot line on SR 28, a "No Vehicular Access" statement shall be platted along the SR 28 and US 231 right-of-way lines on Lot 2.
2. If there is a mortgage on this property, a recorded partial release or written acknowledgment from the mortgage company must be obtained in order to dedicate the necessary right-of-way.
3. All existing easements, covenants or restrictions shall be shown and referenced with the corresponding recording information

(Document Number and date recorded).

4. All required building setbacks shall be platted.
5. The Drainage Board or the County Surveyor shall approve any required drainage plans in compliance with Tippecanoe County Ordinance #2005-04-CM.
6. The street addresses and County Auditor's Key Number shall be shown.
7. An off-site drainage easement satisfying the requirements of the County Health Department shall be created.
8. Driveway permits from INDOT must be issued.
9. A cross-access easement on Lot 1 in favor of Lot 2 shall be platted.

SUBDIVISION COVENANTS – The following items shall be part of the subdivision covenants:

10. The "No Vehicular Access" restriction shall be made enforceable by the Area Plan Commission and irrevocable by the lot owners.